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## VERIFIED SMALL ENTITY DECLARATION (Small Business)

In re Application of: **Alexander Ferguson**

Docket No.: **29699.010300**

Serial Number: **09/620,572**

Art Unit: **2766**

Filing Date: **July 20, 2000**

Examiner:

Title: **System for Digital Watermarking and Distribution of Recorded Content**

I hereby declare that I am:

☐ The owner of the small business concern identified below:

☒ An official of the small business concern identified below empowered to act on behalf of said small business concern:

NAME OF CONCERN: **Getlivemusic.com**

ADDRESS OF CONCERN: **11300 Rockville Pike, Suite 908, Rockville, Maryland 20852,**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.3-18 and reproduced in 37 C.F.R. §1.9(d) for purposes of paying reduced fees under 35 U.S.C. §41(a) and §41(c), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above-identified invention described in:

☐ The Specification filed herewith.

☒ The Application identified above.

I hereby declare that rights under contract law have been conveyed to and remain with the above entity with regard to the above-identified invention. If the rights held by the above entity are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 2.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of any fee, the issue fee, or any maintenance fee due after the date on which status as a small entity is no longer appropriate, as set forth in 37 C.F.R. §1.28(b)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the Application, any Patent issuing thereon, or any Patent to which this Verified Statement is directed.

Name of Person Signing: **Gary S. Silverman**

Title of Person Signing (other than owner):

Address of Person Signing: **11300 Rockville Pike, Suite 908, Rockville, Maryland 20852**

Signature

Date: **11/15/00**



# UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: <b>Alexander Ferguson</b>	Docket No.: <b>29699.010300</b>
Serial No.: <b>09/620,572</b>	Art Unit: <b>2766</b>
Filing Date: <b>July 20, 2000</b>	Examiner:
Title <b>System for Digital Watermarking and Distribution of Recorded Content</b>	

## DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

### DECLARATION OF SOLE OR JOINT INVENTOR

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitle above, the specification of which is either attached hereto, or was filed on the date listed above as with the Application Serial Number listed above (whichever is applicable).

### REVIEW AND UNDERSTOOD CLAUSE

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s). I acknowledge the duty to disclose information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, §1.56(a)*.

### DOMESTIC PRIORITY CLAIM

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT International Application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code § 112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56(a)* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending, Abandoned)
60/144,867	July 20, 1999	Pending

**DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY****FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which the priority is claimed.

APPLICATION NUMBER	FILING DATE	COUNTRY

**WILLFULL FALSE STATEMENT CLAUSE**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1001 Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**CORRESPONDENCE ADDRESS**

**Please send all correspondence with regard to the above-captioned application to:**

**Richard E. Kurtz, II**  
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CUSTOMER NUMBER: 22191

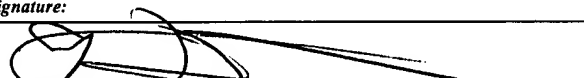
**Direct all phone inquiries to: 703-749-1330**

**POWER OF ATTORNEY**

I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith the following registered Patent Attorneys:

NAME	REGISTRATION NUMBER
Mark A. Wurm	31,682
Richard E. Kurtz	33,936
Paul F. McQuade	31,542
Paul L. Ratcliffe	45,290

**FIRST OR SOLE INVENTOR INFORMATION**

<i>Full Name</i>	<i>Citizenship</i>
Alexander Ferguson	USA
<i>Residence Address</i>	<i>City:</i>
	Bethesda
<i>State</i>	<i>Zip Code</i>
Maryland	
<i>Country:</i>	
UNITED STATES	
<i>Date:</i>	<i>Signature:</i>
11/15/00	

**SECOND INVENTOR INFORMATION**

<i>Full Name</i>	<i>Citizenship</i>
<i>Residence Address</i>	<i>City:</i>
<i>State</i>	<i>Zip Code</i>
<i>Country:</i>	
UNITED STATES	
<i>Date:</i>	<i>Signature:</i>